

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARLELIS HERNANDEZ, individually and
on behalf of all others similarly situated,

Plaintiff,

-against-

OXFORD INDUSTRIES, INC.,

Defendant.

Case No. 1:23-cv-08362 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

Plaintiff alleges that Defendant's website is not accessible to blind and visually impaired customers and, thus, violates Title III of the Americans with Disabilities Act, 42 U.S.C. § 12181 *et seq.* The parties report that they would like to proceed with an initial conference. ECF No. 10. By separate Order today, the Court is referring this case to the assigned Magistrate Judge for General Pretrial Purposes, including settlement.

In addition, to conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge. If both parties consent to proceed before the Magistrate Judge, they must, by **December 4, 2023**, submit to the Court a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to the Order of Reference (and also available at <https://nysd.uscourts.gov/forms/consent-proceed-us-magistrate-judge>). If the Court approves that form, all further proceedings will then be conducted before the Magistrate Judge rather than before this Court. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit, as it would be from this

Court if the consent form were not signed and so ordered. An information sheet on proceedings before magistrate judges is also attached to the Order of Reference.

If any party does not consent to conducting all further proceedings before the Magistrate Judge, the parties must file a joint letter, **by December 4, 2023**, advising the Court that the parties do not consent, **but without disclosing the identity of the party or parties who do not consent**. No adverse consequences will result from the withholding of that consent.

Dated: November 17, 2023
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge